

1 T. LOUIS PALAZZO, ESQUIRE  
2 Nevada Bar No. 4128  
3 PALAZZO LAW FIRM  
4 A PROFESSIONAL LAW CORPORATION  
5 520 South Fourth Street, Second Floor  
6 Las Vegas, Nevada 89101  
7 Tele: 702/385-3850  
8 Fax: 702/385-3855

9 *Attorney for Defendant*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,

13 CASE NO.: 2:15-cr-00037-KJD-GWF

14 Plaintiff,

15 vs.

16 MARC BRATTIN,

17 Defendant.

18 **MOTION TO CONTINUE PRE-TRIAL  
19 MOTIONS DEADLINE**

20 COMES NOW, Defendant MARC BRATTIN, by and through his counsel, T. LOUIS  
21 PALAZZO, ESQ., of PALAZZO LAW FIRM, A PROFESSIONAL LAW CORPORATION,  
22 hereby submits this Motion to Continue Pre-Trial Motions Deadline and as grounds therefore  
23 states as follows:

24 On July 20, 2015, an Order granting Stipulation to Continue Trial and Motion Dates was  
25 entered in this matter setting trial for November 3, 2015 and pre-trial motions due September 3,  
2015.

26 On August 10, 2015, an Order granting substitution of attorney was entered in this matter,  
27 at which time the undersigned became counsel of record.

28 On August 10, 2015, the undersigned received a proposed protective order from Sarah E.  
29 Griswold, AUSA., the parties have exchanged proposed revisions to the same and have yet to  
30 reach agreement on the final version of the protective order.

31 On or about August 12, 2015, the undersigned received Mr. BRATTIN'S file from the  
32 Federal Public Defender's office which is comprised of tens of thousands of pages of discovery.  
33 The undersigned has been diligently reviewing the discovery, however, the current pretrial

1 motions deadline fails to provide sufficient time within which to adequately and meaningfully  
2 review the entire file in order to file appropriate motions.

3 On September 2, 2015, the undersigned learned Ms. Griswold would be out of the office  
4 until September 8, 2015. On September 3, 2015, an effort was made to reach a stipulation with  
5 a representative of the U.S. Attorney's office, however, no answer was provided by 5 p.m.,  
6 thereby necessitating the filing of the instant motion. Relatedly, the undersigned was out of the  
7 office from August 20<sup>th</sup> through August 30<sup>th</sup>, 2015.

8 Additionally, a denial of this request could result in miscarriage of justice, taking into the  
9 account the exercise of due diligence.

10 Accordingly, the undersigned respectfully requests the pretrial motion deadline of  
11 September 3, 2015 be extended at least two weeks until September 17, 2015.

12 Respectfully submitted this 3<sup>rd</sup> day of September, 2015.

13  
14 PALAZZO LAW FIRM  
15 A PROFESSIONAL LAW CORPORATION

16 /s/ T. Louis Palazzo, Esq.  
17 T. LOUIS PALAZZO, ESQUIRE  
18 Nevada Bar No. 4128  
520 South Fourth Street, Second Floor  
Las Vegas, Nevada 89101  
Attorney for Defendant

## **CERTIFICATE OF ELECTRONIC SERVICE**

The undersigned hereby certifies that on the 3<sup>rd</sup> day of September, 2015, I served an electronic copy of the above MOTION TO CONTINUE PRE-TRIAL MOTIONS DEADLINE to all parties of record, *via* CM/ECF.

/s/ Celina Hardy  
An Employee of Palazzo Law Firm, PC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

CASE NO.: 2:15-cr-00037-KJD-GWF

Plaintiff,

VS.

MARC BRATTIN,

Defendant.

**~~[PROPOSED]~~ ORDER GRANTING  
MOTION TO CONTINUE PRE-TRIAL  
MOTIONS DEADLINE**

## **FINDINGS OF FACT**

Based on the pleadings and arguments of counsel, and good cause appearing therefore, this Honorable Court finds that:

1. On July 20, 2015, an Order granting Stipulation to Continue Trial and Motion Dates was entered in this matter setting trial for November 3, 2015 and pre-trial motions due September 3, 2015.

2. On August 10, 2015, an Order granting substitution of attorney was entered in this matter.

3. On or about August 12, 2015, the undersigned received Mr. BRATTIN'S file from the Federal Public Defender's office which is comprised of tens of thousands of pages of discovery.

4. The additional time will afford newly retained counsel an opportunity to adequately and meaningfully review the entire file in order to file appropriate pre-trial motions.

## **CONCLUSIONS OF LAW**

1. For good cause shown, the ends of justice would best be served by a continuance of the pre-trial motions deadline.

2. A denial of this request for continuance of the pre-trial motion deadline would result in miscarriage of justice, taking into account the exercise of due diligence.

## ORDER

**TO ALL PARTIES AND THEIR COUNSEL:**

This matter having come before this Honorable Court and good causing having been shown:

1       **IT IS HEREBY ORDERED** that the pre-trial motions deadline currently scheduled for  
2 September 3, 2015, be vacated and continued to the 17<sup>th</sup> day of September, 2015.

3  
4  
5  
6



GEORGE FOLEY, JR.  
United States Magistrate Judge

7       Dated: September 4, 2015  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28